IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 10848 of 2004

Between:

M/s. Ranga Raju Rice Mill, PULAPALLI - 534 261, (VIA) Palakol, West Godavari District, Rep. By its Partner, Mr. V. Ranga Raju

..... PETITIONER

AND

1 The Commissioner of Commercial Tax, Andhra Pradesh, Office of the Excise and Commercial Tax Building, Opposite Gandhi Bhavan, Nampally, Hyderabad.
2 The Deputy Commissioner (Commercial Taxes), Eluru Division, Eluru, West Godavari District.
3 The Commercial Tax Officer, Palakol Circle, Palakol, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or orders or direction or an appropriate Writ more particularly one in the nature of Writ of Mandamus impeaching the Judgment of the Andhra Pradesh Sales Tax Tribunal in T.A.No.423 of 97 dated 21-7-2000 (reported in 34 APSTJ at Page No.153) by declaring the same as per incruriam, bad law, violative of judicial discipline, in nullity and not having binding force and consequently set aside R.F.No.281/2003-04 dated 24-3-2004 passed by the 2nd respondent and pass such other order or orders as the Court may deem fit.

Counsel for the Petitioner:MR.P.BALAJI VARMA

Counsel for the Respondents: GP FOR COMMERCIAL TAXES

The Court made the following O R D E R
(Per the Hon'ble Sri Justice Bilal Nazki):

Learned counsel for the parties submitted that the issue raised in this writ petition is covered by a Division Bench judgment of this Court in W.P.No.5487 of 2004 and batch, dated 01-04-2004.

Since the parties have agreed that the matter be disposed of in terms of that judgment, we dispose of this writ petition in terms of the said judgment. The judgment in W.P.No.5487 of 2004 and batch, dated 01-04-2004 shall apply to this case as well.

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(Bilal Nazki, J)

29th June, 2004.

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(P.S.Narayana,J)

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To

1 The Commissioner of Commerical Tax, Andhra Pradesh , Office of the Excise and Commercial Tax Building, Opposite Gandhi Bhavan, Nampally, Hyderabad
2 The Deputy Commissioner (Commercial Taxes) Eluru Division, Eluru, West Godavari District,
3 The Commercial Tax Officer Palakol circle, Palakol, West Godavari District
4. Two C.Cs to the Government Pleader for Commercial Taxes, High Court Buildings, Hyderabad (OUT).
5. Two C.D copies.